Crl. Rev. No. 239/01
(Old No. 950/1988)

**Hon'ble Irshad Hussain, J.**

None appear for the revisionists. Heard Sri H.C. Pandey learned A.G.A. and perused the record.

By means of this revision under section 397/401 of the Code of Criminal Procedure (for short 'Code'), the revisionists have challenged the propriety and legality of the order dated 04.07.1988 passed by the Judicial Magistrate, Haldwani, Nainital, whereby the revisionists plea of lack of jurisdiction was turned down and date was fixed to frame charge against them under section 420 IPC.

Perusal of the impugned order reveal that the revisionists-accused have given a cheque towards the payment of consignment of poultry concentrates with fictitious signatures to the complainant with intention to cheat him. The intention from the very beginning was to induce the complainant to part with the consignment and not to pay him the price of the same. Therefore, there was sufficient ground to frame the charge against them. The revision lack merit and is liable to be dismissed.

The revision is hereby dismissed.

**(Irshad Hussain, J.)**

Dated 10.06.2004
Rawat